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FILED
U.S. DISTRICT COURT
2015 NOV 24 3:22
DISTRICT OF UTAH
BY: _____
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ELIJAH WILLIAM ROBERTS,

Defendant.

INDICTMENT

VIOS. 18 U.S.C. §§ 2252A(a)(1) and
(b), TRANSPORTATION OF CHILD
PORNOGRAPHY (Count I);
18 U.S.C. § 2252A(a)(5)(B),
POSSESSION OF CHILD
PORNOGRAPHY (Count II).

Case: 2:15-cr-00703
Assigned To : Nuffer, David
Assign. Date : 11/24/2015
Description: USA v.

The Grand Jury Charges:

COUNT I
18 U.S.C. §§ 2252A(a)(1) and (b)
(Transportation of Child Pornography)

On or about and between April 1, 2015 and August 24, 2015 in the Central
Division of the District of Utah and elsewhere,

ELIJAH WILLIAM ROBERTS,

defendant herein, did knowingly transport and ship child pornography, as defined in 18 U.S.C. § 2256(8), using any means or facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, and attempted to do so; all in violation of 18 U.S.C. §§ 2252A(a)(1) and (b).

COUNT II

18 U.S.C. § 2252A(a)(5)(B)
(Possession of Child Pornography)

Beginning on a date unknown and continuing through November 18, 2015, in the Central Division of the District of Utah,

ELIJAH WILLIAM ROBERTS

defendant herein, did knowingly possess any material which contains an image of child pornography, as defined in 18 U.S.C. § 2256(8), that had been mailed, shipped, and transported in interstate and foreign commerce by any means, including by computer, and which images were produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce, including by computer, and attempted to do so; all in violation of 18 U.S.C. § 2252A(a)(5)(B).

NOTICE OF INTENTION TO SEEK CRIMINAL FORFEITURE

Pursuant to 18 U.S.C. § 2253, upon conviction of a violation of 18 U.S.C. § 2252A, as alleged in Counts I and II of this Indictment, the above-named defendant shall forfeit to the United States, (i) any visual depiction described in 2251, 2251A, or 2252, 2252A, 2252B, or 2260 of this chapter, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of this chapter; (ii) any property,

real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and (iii) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property. The property to be forfeited includes, but is not limited to, the following:

- MSI GT70 Laptop (Black), Serial number 761J213Y31CB021161;
- Compaq Lap top computer, serial number CNF3442NHJ;
- Samsung cell phone Note 4;
- Maxtor 200GB HD, serial number L43702NG;
- Xbox One, serial number 085258734048

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

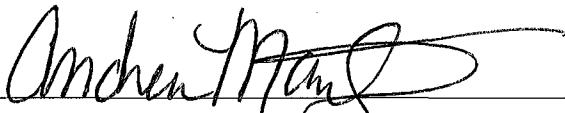
the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b) and 28 U.S.C. § 2461(c).

A TRUE BILL:

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FOREPERSON OF THE GRAND JURY

JOHN W. HUBER
United States Attorney


ANDREA T. MARTINEZ
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